

hourly wage under subparagraph (C) of section 6(g)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(g)(1)), as amended by subsection (a), takes effect.

SEC. 2935. PUBLICATION OF NOTICE.

Section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as amended by the preceding sections, is further amended by adding at the end the following:

“(i) Not later than 60 days prior to the effective date of any increase in the required wage determined under subsection (a)(1) or subparagraph (B) or (C) of subsection (g)(1), or in accordance with subclause (II) or (III) of section 3(m)(2)(A)(i) or section 14(c)(1)(A), the Secretary shall publish in the Federal Register and on the website of the Department of Labor a notice announcing each increase in such required wage.”.

SEC. 2936. PROMOTING ECONOMIC SELF-SUFFICIENCY FOR INDIVIDUALS WITH DISABILITIES.

(a) WAGES.—

(1) TRANSITION TO FAIR WAGES FOR INDIVIDUALS WITH DISABILITIES.—Subparagraph (A) of section 14(c)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)(1)) is amended to read as follows:

“(A) at a rate that equals or exceeds, for each year, the greater of—

“(i) \$5.00 an hour, beginning on the effective date under section 2937 of the Raise the Wage Act of 2021;

“(ii) \$7.50 an hour, beginning 1 year after such effective date;

“(iii) \$10.00 an hour, beginning 2 years after such effective date;

“(iv) \$12.50 an hour, beginning 3 years after such effective date;

“(v) \$15.00 an hour, beginning 4 years after such effective date; and

“(vi) the wage rate in effect under section 6(a)(1), beginning 5 years after such effective date; or

“(ii) if applicable, the wage rate in effect on the day before the date of enactment of the Raise the Wage Act of 2021 for the employment, under a special certificate issued under this paragraph, of the individual for whom the wage rate is being determined under this subparagraph.”.

(2) PROHIBITION ON NEW SPECIAL CERTIFICATES; SUNSET.—Section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)) (as amended by paragraph (1)) is further amended by adding at the end the following:

“(6) PROHIBITION ON NEW SPECIAL CERTIFICATES.—Notwithstanding paragraph (1), the Secretary shall not issue a special certificate under this subsection to an employer that was not issued a special certificate under this subsection before the date of enactment of the Raise the Wage Act of 2021.

“(7) SUNSET.—Beginning on the day after the date on which the wage rate described in paragraph (1)(A)(i)(VI) takes effect, the authority to issue special certificates under paragraph (1) shall expire, and no special certificates issued under paragraph (1) shall have any legal effect.

“(8) TRANSITION ASSISTANCE.—Upon request, the Secretary shall provide—

“(A) technical assistance and information to employers issued a special certificate under this subsection for the purposes of—

“(i) assisting such employers to comply with this subsection, as amended by the Raise the Wage Act of 2021; and

“(ii) ensuring continuing employment opportunities for individuals with disabilities receiving a special minimum wage rate under this subsection; and

“(B) information to individuals employed at a special minimum wage rate under this subsection, which may include referrals to Federal or State entities with expertise in competitive integrated employment.”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act.

(b) PUBLICATION OF NOTICE.—

(1) AMENDMENT.—Subsection (i) of section 6 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206), as amended by section 2934(b)(2), is further amended by striking “or section 14(c)(1)(A),”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the day after the date on which the wage rate described in paragraph (1)(A)(i)(VI) of section 14(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 214(c)), as amended by subsection (a)(1), takes effect.

SEC. 2937. GENERAL EFFECTIVE DATE.

Except as otherwise provided in this subtitle, or the amendments made by this subtitle, this subtitle and the amendments made by this subtitle shall take effect on the first day of the third month that begins after the date of the enactment of this Act.

SA 973. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 1005 and insert the following:

SEC. 1005. BROADBAND INVESTMENT AND PAN-DEMIC RESPONSE FOR COMMUNITIES IN NEED.

In addition to amounts otherwise available, there is appropriated to the Secretary of Agriculture for fiscal year 2021, out of any amounts in the Treasury not otherwise appropriated—

(1) \$300,000,000, to remain available until September 30, 2022, to carry out chapter 1 of subtitle D of title XXIII of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa et seq.);

(2) \$400,000,000, to remain available until September 30, 2026, to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb);

(3) \$100,000,000, to remain available until September 30, 2026, to carry out section 602 of that Act (7 U.S.C. 950bb-1); and

(4) \$200,000,000, to remain available until September 30, 2026, to carry out section 604 of that Act (7 U.S.C. 950bb-3).

SA 974. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 9501, insert the following:

(c) PROHIBITION ON FUNDING FOR ABORTIONS.—

(1) IN GENERAL.—Notwithstanding any of the previous provisions of (including amendments made by) this section, with respect to any COBRA continuation coverage that includes coverage for abortions (other than any abortion or treatment described in paragraph (2) or (3)), the provisions of subsection (a)(1), including through application of subsection (a)(4), shall not apply, premiums shall not be payable under subsection (a), and a credit under section 6432 of the Internal Revenue Code of 1986 shall not be allowed.

(2) CONSTRUCTION RELATING TO COMPLICATIONS ARISING FROM ABORTION.—Nothing in paragraph (1) shall be construed to apply to any coverage for the treatment of any infec-

tion, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion. This rule of construction shall be applicable without regard to whether the abortion was performed in accord with Federal or State law, and without regard to whether funding for the abortion is permissible under paragraph (3).

(3) TREATMENT OF ABORTIONS RELATED TO RAPE, INCEST, OR PRESERVING THE LIFE OF THE MOTHER.—The limitations established under paragraph (1) shall not apply to an abortion—

(A) if the pregnancy is the result of an act of rape or incest; or

(B) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

(4) SEPARATE ABORTION COVERAGE OR PLAN ALLOWED.—

(A) OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.—Nothing in paragraph (1) shall be construed as prohibiting any individual from purchasing separate coverage for abortions described in such paragraph, or a health plan that includes such abortions, so long as no premium assistance or credit is allowed pursuant to this section, including amendments made by this section, with respect to the premiums for such coverage or plan.

(B) OPTION TO OFFER COVERAGE OR PLAN.—Nothing in paragraph (1) shall restrict any non-Federal health insurance issuer offering a health plan from offering separate coverage for abortions described in such paragraph, or a plan that includes such abortions, so long as premiums for such separate coverage or plan are not paid for with any amount attributable to the premium assistance or credit allowed pursuant to this section, including amendments made by this section.

(5) OFFERING IDENTICAL COVERAGE OPTION.—Notwithstanding any COBRA continuation provision, an issuer that offers COBRA continuation coverage that includes coverage of an abortion (other than an abortion or treatment described in paragraph (2) or (3)) shall also offer under the COBRA continuation provisions the same COBRA continuation coverage, except without inclusion of such coverage of abortion.

SA 975. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 9501(a)(1)(B)(ii), strike subclause (IV).

SA 976. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9814 and insert the following:

SEC. 9814. TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d), as amended by section 9811 of this subtitle, is further amended—

(1) in subsection (b), in the first sentence, by striking “and (hh)” and inserting “(hh), and (ii)”;

(2) in subsection (ff), by striking “subject to subsection (hh)” and inserting “subject to subsections (hh) and (ii)”;

(3) by adding at the end the following new subsection:

“(ii) TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

“(1) IN GENERAL.—For each quarter occurring during the 8-quarter period beginning with the first calendar quarter during which a qualifying State (as defined in paragraph (3)) expends amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) under the State plan (or waiver of such plan), the Federal medical assistance percentage determined under subsection (b) for such State shall, after application of any increase, if applicable, under section 6008 of the Families First Coronavirus Response Act, be increased by 5 percentage points, except for any quarter (and each subsequent quarter) during such period during which the State ceases to provide medical assistance to any such individual under the State plan (or waiver of such plan).

“(2) SPECIAL APPLICATION RULES.—Any increase described in paragraph (1) (or payment made for expenditures on medical assistance that are subject to such increase)—

“(A) shall not apply with respect to disproportionate share hospital payments described in section 1923;

“(B) shall not be taken into account in calculating the enhanced FMAP of a State under section 2105;

“(C) shall not be taken into account for purposes of part A, D, or E of title IV; and

“(D) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1108.

“(3) DEFINITION.—For purposes of this subsection, the term ‘qualifying State’ means a State which has not expended amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) before the date of the enactment of this subsection.”.

(b) CONDITIONS ON PROVIDING MEDICAL ASSISTANCE TO CERTAIN MANDATORY INDIVIDUALS.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(A)(i)(VIII), by striking “beginning January 1, 2014” and inserting “subject to subsection (tt)”;

(2) by adding at the end the following new subsection:

“(tt) CONDITIONS ON THE PROVISION OF MEDICAL ASSISTANCE TO CERTAIN INDIVIDUALS.—

“(1) IN GENERAL.—A State that is a qualifying State (as defined in section 1905(ii)(3)), and, beginning January 1, 2022, any other State, shall not provide medical assistance to individuals described in subsection (a)(10)(A)(i)(VIII) unless the State meets the requirements described in paragraph (2).

“(2) REQUIREMENTS.—The requirements described in this paragraph are the following:

“(A) DRUG TESTING.—The State requires individuals described in subsection (a)(10)(A)(i)(VIII) to receive a drug test as a condition of eligibility for medical assistance under the State plan or a waiver of such plan.

“(B) SUBSTANCE USE DISORDER TREATMENT.—The State requires any individual described in subsection (a)(10)(A)(i)(VIII) who tests positive for drug use or is otherwise known to the State to have a substance use disorder to receive substance use disorder treatment as a condition of eligibility for medical assistance under the State plan or a waiver of such plan.”.

SA 977. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9814 and insert the following:

SEC. 9814. TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d), as amended by section 9811 of this subtitle, is further amended—

(1) in subsection (b), in the first sentence, by striking “and (hh)” and inserting “(hh), and (ii)”;

(2) in subsection (ff), by striking “subject to subsection (hh)” and inserting “subject to subsections (hh) and (ii)”;

(3) by adding at the end the following new subsection:

“(ii) TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

“(1) IN GENERAL.—For each quarter occurring during the 8-quarter period beginning with the first calendar quarter during which a qualifying State (as defined in paragraph (3)) expends amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) under the State plan (or waiver of such plan), the Federal medical assistance percentage determined under subsection (b) for such State shall, after application of any increase, if applicable, under section 6008 of the Families First Coronavirus Response Act, be increased by 5 percentage points, except for any quarter (and each subsequent quarter) during such period during which the State ceases to provide medical assistance to any such individual under the State plan (or waiver of such plan).

“(2) SPECIAL APPLICATION RULES.—Any increase described in paragraph (1) (or payment made for expenditures on medical assistance that are subject to such increase)—

“(A) shall not apply with respect to disproportionate share hospital payments described in section 1923;

“(B) shall not be taken into account in calculating the enhanced FMAP of a State under section 2105;

“(C) shall not be taken into account for purposes of part A, D, or E of title IV; and

“(D) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1108.

“(3) DEFINITION.—For purposes of this subsection, the term ‘qualifying State’ means a State which has not expended amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) before the date of the enactment of this subsection.”.

(b) CONDITIONS ON PROVIDING MEDICAL ASSISTANCE TO CERTAIN MANDATORY INDIVIDUALS.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(A)(i)(VIII), by striking “beginning January 1, 2014” and inserting “subject to subsection (tt)”;

(2) by adding at the end the following new subsection:

“(tt) CONDITIONS ON THE PROVISION OF MEDICAL ASSISTANCE TO CERTAIN INDIVIDUALS.—

“(1) IN GENERAL.—A State that is a qualifying State (as defined in section 1905(ii)(3)), and, beginning January 1, 2022, any other State, shall not provide medical assistance to individuals described in subsection (a)(10)(A)(i)(VIII) unless the State conditions medical assistance to such individuals on the satisfaction of a work requirement.

“(2) WORK REQUIREMENT DEFINED.—In this subsection, the term ‘work requirement’ means, with respect to an individual, the individual’s participation in work activities (as defined in section 407(d)) for such period of time as determined by the State, and as directed and administered by the State.”.

SA 978. Mr. BRAUN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9814 and insert the following:

SEC. 9814. TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.

(a) IN GENERAL.—Section 1905 of the Social Security Act (42 U.S.C. 1396d), as amended by section 9811 of this subtitle, is further amended—

(1) in subsection (b), in the first sentence, by striking “and (hh)” and inserting “(hh), and (ii)”;

(2) in subsection (ff), by striking “subject to subsection (hh)” and inserting “subject to subsections (hh) and (ii)”;

(3) by adding at the end the following new subsection:

“(ii) TEMPORARY INCREASE IN FMAP FOR MEDICAL ASSISTANCE UNDER STATE MEDICAID PLANS WHICH BEGIN TO EXPEND AMOUNTS FOR CERTAIN MANDATORY INDIVIDUALS.—

“(1) IN GENERAL.—For each quarter occurring during the 8-quarter period beginning with the first calendar quarter during which a qualifying State (as defined in paragraph (3)) expends amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) under the State plan (or waiver of such plan), the Federal medical assistance percentage determined under subsection (b) for such State shall, after application of any increase, if applicable, under section 6008 of the Families First Coronavirus Response Act, be increased by 5 percentage points, except for any quarter (and each subsequent quarter) during such period during which the State ceases to provide medical assistance to any such individual under the State plan (or waiver of such plan).

“(2) SPECIAL APPLICATION RULES.—Any increase described in paragraph (1) (or payment made for expenditures on medical assistance that are subject to such increase)—

“(A) shall not apply with respect to disproportionate share hospital payments described in section 1923;

“(B) shall not be taken into account in calculating the enhanced FMAP of a State under section 2105;

“(C) shall not be taken into account for purposes of part A, D, or E of title IV; and

“(D) shall not be taken into account for purposes of applying payment limits under subsections (f) and (g) of section 1108.

“(3) DEFINITION.—For purposes of this subsection, the term ‘qualifying State’ means a State which has not expended amounts for all individuals described in section 1902(a)(10)(A)(i)(VIII) before the date of the enactment of this subsection.”.

(b) CONDITIONS ON PROVIDING MEDICAL ASSISTANCE TO CERTAIN MANDATORY INDIVIDUALS.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

(1) in subsection (a)(10)(A)(i)(VIII), by striking “beginning January 1, 2014” and inserting “subject to subsection (tt)”;

(2) by adding at the end the following new subsection:

“(tt) CONDITIONS ON THE PROVISION OF MEDICAL ASSISTANCE TO CERTAIN INDIVIDUALS.—